

NOTICE OF PUBLICATION WITH THE INTENT TO ADOPT ORDINANCE 22-02 an ordinance to amend the Code of the City of Las Vegas by adding a new Section 4 to Chapter 22 to be entitled "Expenditure Accounting Report". This Ordinance is enacted pursuant to Section 2.02 of the City of Las Vegas Municipal Charter, and is an exercise of the City of Las Vegas home rule powers.

Notice is hereby given that the City Council of the City of Las Vegas, NM, at their Regular meeting held on February 9, 2022, approved for publication Ordinance No. 22-02 with the intent to adopt at their regularly scheduled meeting to be held on March 9, 2022. A complete copy of Ordinance 22-02 may be obtained at the office of the City Clerk located at City Hall, 1700 North Grand Avenue, Las Vegas, New Mexico or on the City of Las Vegas website at: www.lasvegasnm.gov.

City of Las Vegas

/s/Cassandra Fresquez
City Clerk

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CITY OF LAS VEGAS, NEW MEXICO

Ordinance No. 22-02

AN ORDINANCE TO AMEND the Code of the City of Las Vegas by adding a new Section 4 to Chapter 22, to be entitled "Expenditure Accounting Report". This Ordinance is enacted pursuant to Sections 2.02 of the City of Las Vegas Municipal Charter, and is an exercise of the City of Las Vegas home rule powers.

BE IT ENACTED by the Governing Body of the City of Las Vegas as follows:

Section 1. The Code of the City of Las Vegas, is hereby amended by adding to Chapter 22 "Finance and Budget" a new Section 4 entitled "Expenditure Accounting Report" to read as follows:

§ 22-4 Expenditure Accounting Report. Any recipient of funds (including without limitation Lodger's Tax, American Rescue Plan Act, City of Las Vegas general fund, or any State or Federal funding distributed through or by the City of Las Vegas), or other such payment or benefit, from the City of Las Vegas ("Recipient"), whether the organization operates in a non-profit capacity, for-profit capacity or some other capacity, shall provide in writing a completed expenditure accounting report (EAR) to the City Council, City Manager and City's Finance Department, with such EAR being signed and submitted under penalty of perjury by the Recipient. The Recipient shall provide the EAR within fifteen (15) days of the request of the City Council, City Manager, City Finance Department, or other City designee, but in no case more than thirty (30) days after the date the Recipient receives any funds from the City, and by the first of each consecutive month thereafter until all funds received by the City are fully expended. The EAR shall include the amount of funds received, and any expenditure associated with the funds, detailed information as required and as included in the EAR form provided by the City, as well as any other information requested by the City, including without limitation financial and budget records and documents. Failure to timely deliver the complete EAR, and any further documentation as requested, shall disqualify the Recipient from consideration for receiving any funds or other benefits from the City for a two (2) year period, beginning on the date the EAR should have been received by the City. All Recipients shall conduct any and all organization meetings in a manner that is open to attendance by the City and its designees, and the general public. All Recipients shall deliver, upon request of the City, a copy of minutes and other documentation from the Recipient's organization meetings, with such information being available to the public. The Recipient shall also make available to the City their budget and expenditures, regarding the funds, payment or benefit Recipient receives from the City. The Recipient shall also post their budget and expenditures on their website for public transparency. Failure to comply with the requirements in this section shall result in the City immediately discontinuing any payments and/or disqualification from future endeavors with the City. Each Recipient shall acknowledge under penalty of perjury that no member of their board is benefitting from the funds, payments or other benefits received by the City, either personally, through a separate business, as an employee, or through any other manner. Acceptance or receipt of funds, payments or other benefits by the Recipient from the City shall be subject to audit and review such matters, including without limitation, budgets, invoices, copies of bids, sub-contractor bids and invoices, reports, data, records, statements and

all documentation requested by the City. Funds, payments and other benefits provided by the City shall not be used for salary or benefits for any staff member or officer, but shall only be used for the specific project defined in a scope of work, unless otherwise specified as administrative costs in a defined budget which has been pre-approved in writing by the City. All funding, payment or other benefits provided by the City shall be defined in a contractual agreement with a budget and scope of work. Funding from local, state, federal or other entity shall require full and transparent accountability to the public. By accepting any funds, payment or other benefit under this section, each and every Recipient is agreeing to be subject to audit by the City, local, state or federal entities, upon the request of said entities. Each Recipient shall maintain a valid and current business license and be in good standing with all required local, state and federal laws, rules, ordinances and regulations or any kind whatsoever, and shall not be on a debarment list. Each Recipient shall be documented with, and recognized by, the State of New Mexico Secretary of State's office, and shall be real, active and operational in producing goods or services for profit, or be a governmental, charitable or other validly created and operating non-profit entity.

Section 2. Severability. The provisions of this ordinance are declared to be severable, and if any portion of this ordinance, for any reason, is held to be invalid or unconstitutional by a court of competent jurisdiction, such decision shall not affect the validity of the remaining portion of this ordinance.

Section 3. Effective Date. This ordinance shall become effective upon the execution by the Mayor and the affirmative vote of the majority of the Governing Body.

PASSED, ADOPTED and ENACTED this _____ day of February, 2022.

Mayor Louie A. Trujillo

ATTEST:

Reviewed and approved as to legal sufficiency only:

Casandra Fresquez, City Clerk

Scott Aaron, City Attorney